

FILED
10/29/21 2:25 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF WESTERN PENNSYLVANIA
CONCILIATION CONFERENCE MINUTES**

Conciliation Conference:

Debtor: MICHAEL J. & DEBORAH JOY PUSHINSKY
Case Number: 16-20367-GLT Chapter: 13
Date / Time / Room: THURSDAY, OCTOBER 28, 2021 11:30 AM 3251 US STEEL
Hearing Officer: CHAPTER 13 TRUSTEE

Matter:

#177 - Amended Plan Dated 9/20/2021 (FC)
R / M #: 177 / 0

Appearances:

Debtor: 
Trustee: Winnecour / Warmbrodt / Katz / DeSimone
Creditor:

Proceedings:

Outcome:

1. ☐ Case Converted to Chapter 7
2. ☐ Case Converted to Chapter 11
3. ☐ Case Dismissed without Prejudice
4. ☐ Case Dismissed with Prejudice
5. ☐ Debtor is to Inform Court within _____ days their preference to Convert or Dismiss
6. ☐ The plan payment/term is increased/extended to _____, effective _____
7. ☐ Plan/Motion continued to _____ at _____
8. ☐ An Amended Plan is to be served on all creditors and certificate of service filed by _____
Objections are due on or before _____.
A hearing on the Amended Plan is set for _____ at _____
9. ☐ Contested Hearing: _____ at _____
10. ☐ Other: _____

CONFIRMATION ORDER TO BE ENTERED

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF WESTERN PENNSYLVANIA
PROPOSED CONFIRMATION ORDER**

Conciliation Conference:

Debtor: MICHAEL J. & DEBORAH JOY PUSHINSKY
Case Number: 16-20367-GLT Chapter: 13
Date / Time / Room: THURSDAY, OCTOBER 28, 2021 11:30 AM 3251 US STEEL
Chapter 13 Plan Dated: 9/20/21
Next Hearing Date and Time: _____

The Parties, including the Debtor(s) and the Attorney for the Debtor(s), if any, hereby agree as follows:

☐ (1) No Changes to standard confirmation order.

(2) Changes to the standard Confirmation Order as indicated

☐ A. For the remainder of the Plan Term, the Plan payment is amended to be \$ _____ as of _____. Debtor(s)' counsel shall file a motion to amend the income attachment order within five (5) days of the date of this Order.

☒ B. The length of the Plan is increased to a total of 68 months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.

☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees.

☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority or extent of liens, including determination of the allowed amount of secured claims under 11 U.S.C. 506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. 507, and all objections to claims.

☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.

☐ F. _____ shall be paid monthly payments of \$ _____ beginning with the Trustee's _____ distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the fifth distribution level.

☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the debtor(s) successfully objects to the claim:

☒ H. Additional Terms:

☐ Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.

☐ Motion to Amend/Modify Plan resolved and all Objections to Plan withdrawn upon entry of Confirmation Order.

*Con 1 + next
page*

16-20367GLT MICHAEL J. PUSHINSKY

- (1) Provision for filing fees to be paid through the plan in the plan is stricken. The filing is paid and will not be paid by the Trustee.
- (2) The Debtor will take over over long term continuing debts/the mortgage payments beginning December 2021
- (3) Ally Financial (CI #1) to be paid per stip Order entered 8-8-19 (Doc 129)
- (4) Westmoreland County TCB will be paid with statutory interest (of 9%)
- (5) Provision for Bureau of Individual Tax in the plan is stricken. No claim filed and Trustee has been provided no information of the payee or payee address or the basis of the tax (including tax years). To extent the claim was priority or secured it shall not be discharged.
- (6) Trustee shall make no payments to SBA (CI #3-2). Debtor shall pay claim direct per agreement between the parties, beginning December 2021.
- (7) Debtor to be refunded \$2,312 of the balance on hand that was paid into plan in October 2021.
- (8) Balance on hand in excess of Debtor refund of \$2,312 and that needed to complete Plan, as confirmed herein, shall be distributed to allowed UNSECURED Creditors up to payment of 100% of the claims timely filed.

2